CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Force	☐ Discourt.	☐ U.S.
Sebastian Saavedra		Squad #1	202001772	✓ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:		Precinct:	18 Mo. SOL	EO SOL
Tuesday, 03/03/2020 8:10 AM		283 East Houston Stree	et	07	9/3/2021	4/20/2022
Date/Time CV Reported		CV Reported At:	How CV Reported:	Date/Time	Received at CCF	RB
Tue, 03/03/2020 8:47 AM		CCRB	On-line website	Tue, 03/03	3/2020 8:47 AM	
Complainant/Victim	Type	Home Addre	ss			
Subject Officer(s)	Shield	TaxID	Command			
1. POF Gaileen Stapletongilgeours	13887	945375	009 PCT			
2. POM Kevin Mckeon	13969	956910	009 PCT			
Officer(s)	Allegation			Inve	Investigator Recommendation	
A.POF Gaileen Stapletongilgeours	Abuse: F	Police Officer Gaileen Sta	apleton-Gilgeours fa ousiness card.	ailed to		
B.POM Kevin Mckeon		Police Officer Kevin McI with a business	Keon failed to provi	de		

Case Summary

On March 3, 2020 § 87(2)(b) filed this complaint with the CCRB via its online website. On March 3, 2020, 887(2)(5) approached Police Officer Kevin McKeon, and Police Officer Gaileen Stapleton-Gilgeours, both assigned to the 9th Precinct, who were sitting in a vehicle outside 283 East Houston Street in Manhattan, to ask why they were parked in a bicycle lane. asked both officers for their business cards. PO Stapleton-Gilgeours and PO McKeon did not provide § 87(2)(b) with business cards and drove away (Allegations A and B: Abuse of Authority, § 87(2)(9) No BWC video was available for this incident. § 87(2)(9) **Findings and Recommendations** Allegation (A) Abuse of Authority: Police Officer Gaileen Stapleton-Gilgeours failed to provide § 87(2)(b) with a business card. Allegation (B) Abuse of Authority: Police Officer Kevin McKeon failed to provide \$87(2)(b) ■ with a business card. testified that he was walking in front of "Heaven's Hot Bagels," near the intersection of Houston Street and Clinton Street in Manhattan, when he observed PO Stapleton-Gilgeours and PO McKeon sitting in a marked SUV parked in the bicycle lane on the south side of Houston Street, blocking the lane. \$\overline{807(2)}\overline{60}\$ approached the driver's side window. PO McKeon rolled down the window, and § 87(2)(b) told him that he was parked illegally, and that he should move his car, and asked PO McKeon and PO Stapleton-Gilgeours for their business cards. stated that both officers acknowledged his request verbally, though he did not recall what they said. PO Stapleton-Gilgeours asked \$67(2)(b) why he wanted their business cards, and \$87(2)(b) told her that he was not going to answer any of their questions, and just wanted their business cards. The officers briefly spoke to each other, and PO McKeon told [8] [97(2)(b)] where he was. PO McKeon then rolled up his window, and the officers drove off. [87(2)6) stated that he did not see the officers again, nor did they verbally offer any of their identifying information. § 87(2)(b) stated in a follow up call that he did not stay at the location for more than one or two minutes, as he understood from the officers' lack of specificity in asking him to wait (without saying they would return or where they were going) that they were concluding the interaction (Board Reviews 02 and 12). provided three videos that he recorded on his cell phone. The footage in the first clip (Board Review 03) shows him approach PO McKeon, sitting in the driver's seat and PO Stapleton-Gilgeours, sitting in the front passenger's seat. §87(2)(b) walks up to the driver's seat door of the car, whose window is partially rolled down. 887(2)(b) asks, "can I have your business card please?" to which PO Stapleton-Gilgeours replies by pointing at herself and asking whether § 87(2)(b) is speaking to her. §87(2)(6) repeats the same question, and PO Stapleton Gilgeours again asks whether he is speaking to her, to which \$87(2)(5) replies, "both of you." PO McKeon and PO Stapleton Gilgeours then look at each other for a few seconds. PO Stapleton Gilgeours then asks \$87(2)(b) why he needs her business card, to which \$87(2)(b) replies that she is breaking the law and he would like to report her for it. PO Stapleton Gilgeours then says something unintelligible, and §87(2)(b) asks, "are you refusing to give me your business card?" to which she replies, "I'm asking you a question." §87(2)(b) again asks for PO Stapleton Gilgeours' business card, and then asks both of the officers for business cards. PO Stapleton Gilgeours again says to \$87(2)(b) "I'm asking you a question," to which \$87(2)(b) that he is not answering any questions from either of the officers, and that he has them on camera refusing to give him business cards. The footage then concludes. The second clip (Board Review 11) captures PO McKeon twice ask PO Stapleton-Gilgeours whether she has a business card. It is not clear whether she answers him, but PO McKeon is heard telling her that his business cards are

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back at the command. PO Stapleton-Gilgeours responds to PO McKeon that they will have to go to the command and get them. PO McKeon then turns to look at \$37(2)(5) and tells him to "wait here, alright." \$37(2)(5) does not respond. PO McKeon rolls up the window then rolls it down again almost immediately and asks \$37(2)(5) to step to the left. The video then concludes. The final clip taken by \$37(2)(5) (Board Review 04) simply shows the officers driving away eastbound on Houston Street.
approached them and asked something she did not recall regarding their car being parked in a bicycle lane. **SYZYYO** then asked PO McKeon for business cards, to which PO McKeon replied that he did not have any, and that he would be able to provide them to **SYZYYO** at the stationhouse if he followed the officers there. Upon being shown cell phone footage of the interaction, PO Stapleton-Gilgeours stated that, while she could hear that **SYZYYO** was saying at the time, and that, upon asking **SYZYYO** a question, he replied, "I'm not talking to you," further confusing her with regard to **SYZYYO** s requests at the time. Stapleton-Gilgeours and PO McKeon then drove to the 9th Precinct stationhouse, and PO McKeon told a PBA delegate there that **SYZYYO** had requested their business cards, and that **SYZYYO** might come to the stationhouse looking for the officers. PO McKeon and PO Stapleton-Gilgeours waited there for **SYZYYO** for approximately 10 minutes, before resuming patrol. **SYZYYO** did not visit the stationhouse during that time, nor did they subsequently receive a call that **SYZYYO** had visited the stationhouse. PO Stapleton-Gilgeours did not specify whether the officers ever returned to the scene of their initial interaction with **SYZYYO** but stated that they did not, at any point, get the opportunity to provide business cards to him (Board Review 05). PO McKeon did not recall any details of this incident but confirmed that he and PO Stapleton-Gilgeours appeared in the cell phone video (Board Review 06). Officers are required to carry an appropriate number of business cards and provide them to any civilian who requests them. Officers are required to verbally provide their name, rank and shield number if they do not have business cards, NYC Admin. Code \$14-174 (Board Review 07). Cell phone footage shows that \$*SYZYYO** requested business cards from both PO McKeon and PO Stapleton-Gilgeours, and that both officers acknowledged his request. \$*SYZYYO**
• SST(2)(b) has been party to five CCRB complaints and has been named as a victim in 21 allegations (Board Review 08). • SST(2)(b)

• DO Stor	platon Gilgoours has bee	n a member-of-service for 12 ye	
	<u>e</u>	and three allegations. § 87(2)(9)	ears and has been a sub
	Keon has been a member nt to which he has been	e-of-service for six years, and the a subject.	is is the first CCRB
§ 87(2)(b)	Mediation declined to mediate	•	<u>es</u>
Notice of		York City Office of the Comptro egards to this complaint (Board	
Notice (§ 87(2)(b)) [§	of Claim being filed in re		
Notice of	of Claim being filed in research for the second sec	egards to this complaint (Board	1/14/2021
Notice ([§ 87(2)(b)] [§ d No.:	of Claim being filed in research (3)&(4)][§ 87(2)(c)]		Review 09).
Notice (S 87(2)(b)) [S ad No.:	of Claim being filed in research for the second sec	egards to this complaint (Board	1/14/2021

Print Title & Name

Signature

Date